

# Quid Novi

McGill University, Faculty of Law  
Volume 25, no. 3- September 21, 2004





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## Quid Novi

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The *Quid Novi* is published weekly by the students of the Faculty of Law at McGill University. Production is made possible through the direct support of students.

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Envoyez vos commentaires ou articles avant jeudi 5pm à l'adresse: quid.law@mcgill.ca

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<http://www.law.mcgill.ca/quid/edpolicy.html>.

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## Week in Review ...

Business prospects are improving for Christopher Lindhoist and Arshad Chowdhury, who recently opened their Metronaps lounge on the 24th floor of New York City's Empire State Building and whose clients pay \$14 to relieve stress by dozing off for 20 minutes in private, specially made, reclining chair-pods with an array of vibrations and sounds to drown out the hubbub of the city. Chowdhury said he studied the science of napping at Carnegie-Mellon University and found a "tremendous amount of research" showing the rejuvenative value of the short "power nap," which he said improves memory, mood, and learning. The Metronaps chair-pods (retailing at US\$8,000) are being separately sold to companies overseas and may soon appear in airport lounges and law school atriums.

The patently inexperienced Bradley S. Shugars, 21, was arrested and charged with robbing a Phillips 66 gas station in Avon, Ind., with his cousin, Karl D. Carnes. Police found Shugars in the getaway car, awaiting Carnes at another gas station, and quickly got a confession from Shugars, who started to cry. According to the arresting officer, Shugars, obviously unaware of our Faculty's course registration process, self-pityingly lamented, "Everybody can rob you, but you can't rob nobody."

An econometric study of "happiness" by professors David Blanchflower (Dartmouth College) and Andrew Oswald (Warwick University, England), announced in July, found that a successful marriage brings such a level of joy that those without it would need an additional \$100,000 to compensate. They conclude that money can buy happiness (but each unit of it is very expensive); increasing the frequency of sex from monthly to at least weekly brings the same happiness as a \$50,000 raise; and those who must buy their sex are the least happy of all. Brown bears terrorized a village in Transylvania and three people were trampled to death at an Ikea grand opening in Saudi Arabia.

J.M.



# Editor's Page: Of Baseball, Law, and Registration

by Jason MacLean, Co-Editor-in-Chief (Law II)

**A**n editor-in-chief of a weekly concern, not unlike nature herself, abhors a vacuum. I admit I was worried. Wither content, I wondered. Wither the Quid? Wither civilized journalism?

I need not have worried, for with the crushing predictability of the Florida hurricane season, that venerable source of Quid content, griping, made its forceful return, occasioning the equally predictable evacuation of good manners, esprit de corps, reasoned argument, and sane perspective.

Was registration really so bad? Not for me, and not, I surmise, for the vast majority of students, either. Is the registration system and the larger administrative system of which it is but a part perfect? Of course not. Does it serve well the needs of most of us? You bet it does. So where does that leave us, if not in the fuzzy in-between we most often if not always find ourselves? What is the answer to the latest Faculty crisis of confidence? One answer, albeit a rather oblique one, may be found in baseball, in particular sabermetrics, a statistical approach to measuring baseball performance (named after the Society of American Baseball Research; see <http://www.sabr.org>).

That the rules and results of baseball may be of some instructive value to lawyers should come as little surprise. After all, we've all had Foundations. We know that a strike in baseball bears more resemblance to art than to the rule of law - we know a strike when we see one, but good luck trying to define it in words (see Paul Finkelman, "Baseball and the Rule of Law" (1998) 46 CLEV. ST. L. REV. 239 at 242). The law, not unlike baseball, is loathe to change; like a herd of Buffalo, each moves only as much as it needs to so as to remove the need for further movement). The history of both baseball and law has been experience, not logic.

Enter sabermetrics. In their review of Michael Lewis' book *Moneyball*, law professors and baseball enthusiasts Richard Thaler and Cass Sunstein remark that "baseball professionals ... tend to rely on simple rules of thumb, on traditions, on habits, on what other experts seem to believe.

Even when the stakes are high, rational behavior does not always emerge." Sound familiar? The result, argue Messrs Thaler and Sunstein, is that baseball owners seem to have evolved into a "bad equilibrium" in which the majority employ antiquated, inefficient measures of player performance, while clever, progressive executives with small-market teams utilize better information to construct more talented rosters using less money (see Thaler & Sunstein, "Who's on First" *The New Republic*, Sept. 1, 2003 at 27). Sabermetrics, championed of late by the aptly named general manager of the Oakland Athletics, Billy Beane, offers decision-makers an ostensible alternative to the traditionalism that many like Thaler and Sunstein think plagues baseball by maximizing their access to good information. Sabermetrics proposes radically new categories by which to make sense of baseball. Batting average, to take the most obvious example, is underinclusive because it ignores both the frequency with which a hitter reaches base absent a hit and how far around the bases a hitter advances with each hit. As a result, sabermetrics coined a more inclusive if inelegant-sounding category, OPS (on-base plus slugging percentage) - roughly speaking, a composite measure of how often a batter reaches base and how proficiently he doubles, triples, and homers. To baseball traditionalists, of course, sabermetrics is at once bunk and anathema itself.

Sabermetrics, however, is no panacea. It has certainly not worked in Toronto, where the hapless Blue Jays are presently perched 32 games behind the spendthrift New York Yankees. Even in Boston, where the Red Sox have elevated their tradition of losing to the heights of Greek tragedy and who presently employ the very founder and guru of sabermetrics, Bill James, the institution of *stare decisis* appears safe indeed.

Are sabermetrics and baseball traditionalism really so at odds? Legal scholar Gerald Postema, for example, has in the pages of the *McGill Law Journal* defended traditionalism because "keep[ing] faith with our past ... is a way of keeping faith with each

other" (Postema, "On the Moral Presence of Our Past" (1991) 36 *McGill L.J.* 1153 at 1170). Traditionalism, so understood, also requires the practice of critical history and advocates deep engagement with tradition. Tradition, then, has a constructive (and of course constructed) element - in discovering what the shape of our common life is, we at once decide what the common shape of our life will be.

What, you may well ask at this point, has any of this have to do with registration? Everything. First and perhaps not least importantly, I distracted you for a few minutes. Baseball, after all, is a great pastime. More to the point, however, the debate between traditionalism and sabermetrics in baseball has implications for "legal" debates over proper institutional design and problem-solving (e.g., registration). Before we once again succumb to the knee-jerk solution of applying a so called progressive market-based approach (economics, incidentally, has more than one idea) to our latest institutional problem, let's consider instead the real lessons of the sabermetric revolution which teach us, I think, to value both the quality of information and the quality of interaction. Institutional design and experience, after all, can be boiled down to one thing, namely, communication (be it between people or between ideas).

What, then, would a sabermetrics of law school administration accomplish? If nothing else, administrators and students need to communicate their aspirations and needs to each other. In the language of economics and decision theory, each suffers unnecessarily from imperfect (because, in this case, asymmetric) information. We too often reside in separate cabins, and neither group seems to understand as well as it might the concerns and constraints the other faces.

What we need, then, is not an inquiry or the law school equivalent of Sheila Fraser. Instead, we need a better rapprochement among all of the Faculty's stakeholders. We need to start talking about why we're not talking to each other, and then go from there.

## Envirotip:

**Hate holding onto metal hangers? Dry-cleaners are happy to take them back!**

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# Letter from the Dean

Cher étudiants et étudiantes,  
Dear colleagues,

We write in response to the concerns about our registration process this term that were raised in last week's Quid. We fully empathize with your frustration and anxiety. As you know, we did our best to respond, in particular by increasing the caps on enrolment (within the confines of classroom space and faculty resources) before the end of the add /drop period. We learned this week that in the end most courses are below their caps, in some cases by a substantial number. But this does not diminish the seriousness of the problem.

Students are entitled to the best possible process for registration. We regret the considerable inconveniences that many students experienced and will work to improve the process as quickly as possible. Adjustments must be made to accommodate the increasingly higher demand for courses in first rather than second term. Consideration must be given to a more robust offering of teaching and learning experiences in the summer period as patterns of student demand suggest that, increasingly, planning for graduation in December is a common choice. Standing operating procedure for electronic enrolment must be reviewed and adjusted. We think meaningful improvements can be made. It bears mentioning, however, that the difficulties experienced at registration reflect, in part, the difficult financial circumstances in which the Faculty finds itself. We are hopeful for some improvement here too. But this is to a large extent an externality.

We also want to take this opportunity to express the Faculty's regret about several additional factors that made the registration process particularly difficult this term. Chief among these was the fact that Minerva failed to cooperate at the commencement of registration - while this was largely beyond our control, we are grateful, nevertheless to the OUS for working so hard at finding a solution to the problem. The late deletion of certain courses and the scheduling changes this brought about was an additional source of inconvenience for many of you. Although this was a consequence of an unforeseen change in instructor availability, we regret the upset it caused some students.

The fact that in the end most courses were undersubscribed suggests that initial oversubscription to courses was also a contributing factor. One can hardly blame students for taking the precautionary measure of oversubscribing in light of the fear of not having the courses they want. But, staying in a course until the bitter end of the drop period creates problems of its own. We are looking at ways to resolve this. One possibility would be to create automatic wait lists on Minerva (assuming this is technologically feasible). Under this approach, students on the wait list would be automatically registered in order as soon as spaces opened up.

In any event, this and other solutions are under discussion and we invite you to submit your thoughts to us if you think fit to do so.

Allow us to conclude with an undertaking that your concerns will be addressed as we plan for next year's curriculum. The issue will be on the agenda of the curriculum committee. Any recommendations you have will be received most warmly.

Bien cordialement,

Véronique Bélanger, Assistant Dean  
Nicholas Kasirer, Dean  
Catherine Walsh, Associate Dean

VB/enp

**Vote in the Upcoming Elections!**  
**Thursday, September 23rd**  
**Between 9am and 5pm**



# What I Learned in my First Year

by Jessica Miklos (Law II)

I'm sure you've heard it a hundred times already. You will learn far more from the things that you do outside the classroom than from the things that you do within those walls. That has certainly been the case for me. While terms like *fiducie* and *superficie* certainly sound familiar, and I'm sure I could find definitions for you in my notes, they aren't at the forefront in my mind as I return for a second year.

The things that really stick out for me from first year are the trips outside the faculty where I could really see how the law affected people out in "real life." Supreme Court decisions are all very nice, but those are not the things that really affect the way that people live their lives. Three outings that really stand out for me are the following:

1. **Visiting the McGill Legal Information Clinic** as part of a Foundations tutorial. No, we couldn't work there in first year, but after a half-hour visit, the issues of access to justice were really brought home. Legal Aid just doesn't solve things when you have to be destitute to qualify, and let's face it, if the governments don't have money to properly fund health care, they probably aren't about to throw a whole lot of money at Legal Aid. Especially given the public sentiment toward lawyers and criminals. And before that visit, I didn't know that the Quebec Bar Association is one of the strongest voices against making the system more accessible.

Makes you think.

2. **Visiting the Joliette women's prison.** Believe me when I say that you will not look at prisons and punishment the same way after you have visited one of these facilities and talked to some of the inmates there. I learned that if you have to go to jail, Quebec would be a good province to do it in, but that wasn't the most important lesson. I was struck by the fact that these women do not seem to be monsters. Yes, many have committed very serious crimes, but it is also easy to see that society has failed many of them in many ways. It is hard to condemn someone once you know that as a society we did little or nothing while they lived in poverty, were abused and denied the opportunities that so many of us take for granted.

3. **Serving a meal at the Old Brewery Mission.** If you want to see complexity in action, this is a good place to look. You'll see people being fed assembly line style, and being rushed to finish so that the next group can eat. It makes you feel uncomfortable, but the alternative is making the second group go hungry. You'll see hundreds of beds in a single room, and wonder about human dignity and respect. But is it better to leave people out in the cold? You'll see a padded room, and will learn that Montreal police no longer throw people in jail for public intoxication - they bring them to homeless shelters and

expect them to deal with the problem. (A direct result of the Charter of Rights and Freedoms, by the way.) It is all very nice to theorize about how problems can be solved while sitting in the safety of the Faculty of Law, but there are some fairly stark realities that have to be faced by those on the front lines.

I'm grateful for these experiences and others like them that were made available to me in my first year. This year, I'd like to do my part to make sure that similar opportunities are available to others. Together with Catherine Lambert, your VP Internal, I'll be working to bring several one-time volunteering opportunities to the faculty, so that you too can get out and see how some of the issues that we talk about every day work out in daily life. The idea is to recognize the chronic time stress in your lives, and give you an opportunity to get involved once (or as often as you like) in an issue that you've wondered about. What you do after that is up to you. Stay tuned for the first opportunity, hopefully in October. If you know of an organization that you'd like to visit (or that could use our help for a few hours), send me an e-mail ([jessica.miklos@mail.mcgill.ca](mailto:jessica.miklos@mail.mcgill.ca)). If you'd like to organize an event, same thing. But remember, what you learn is up to you, and if all you do is go to class, you are missing out on some experiences that would otherwise stick with you for your whole life. ■

# What McGill Could Learn from Concordia

by Aram Ryu, Co-Editor-in-Chief (Law III)

For the past few weeks, I have been working at Concordia Legal Information Services as part of my Legal Clinic course here at McGill. September 14th started just like any other day, but little did I know of the revelation to hit me later like a semi-trailer truck fully loaded with casebooks unable to brake rocketing down Peel Street.

Starting the internet browser, it pointed to the Concordia website and suddenly I discovered the following words: "Buy your textbooks online." Intrigued by the title, I

began reading what came after: "Enter your student ID on the Bookstore website to see a list of books needed for your registered classes, then buy them online to avoid line-ups." Somehow, Concordia has managed to sell textbooks online! This is the miracle of the internet we've all been waiting for! Actually, this is the miracle of the internet McGill students are still waiting for ...

Concordia and McGill are just a couple of blocks apart in the same city. We are not talking about another continent and we certainly are in the same time period. We are

not even talking about one of those rich Ivy League corporations universities. Why is the McGill bookstore still stuck in the Middle Ages? Curious as to the impotence of the McGill bookstore, I went to see its website. (Surprisingly enough, there is a website dedicated to the bookstore!) I was amazed to see that McGill sells things online; however, I couldn't find any coursepacks or any books. So if you're interested in getting McGill clothing and "giftware," then you can go order them online. However, if you want books, you will have to go down to the bookstore ►



just like people have for centuries since the website is only interested in pushing the McGill brand to web surfers.

Now, some might prefer going to the bookstore, carefully looking at the shelves to find the books you need, and waiting and waiting for a chance to pay for them. I don't. I'm also sure that a lot of you don't like how our current system works. I'm not saying we should have a system similar to Concordia where the bookstore website will be able to know which books we need. God forbid, that would mean some kind of interaction with the dreadful and dreaded Minerva system! But the current system is simply not acceptable: they don't order enough books for the number of students enrolled in the course and now, their new policy is for you to pay for books and then they'll order them!

### 1. Check stock online

The first step necessarily has to be a way

to check if a certain book or casebook is at the bookstore. It simply doesn't make any sense for any student to go there, only to find the books are not available. It doesn't matter why the books aren't available: if we can check it online, then there wouldn't be any need to waste our time going to the bookstore.

### 2. Reserve books online

The second step would be a mechanism to reserve books online for those who don't want to use a credit card (or don't have one) to purchase books online. By reserving, it would make sure that, once you go down to the bookstore, you'll be able to buy the books you need.

### 3. Buy books online

Online bookstores such as Amazon.ca and Archambault.ca have shown the world that people are willing to buy books online and receive it at home. Just think about it. You won't have to go buy the books and drag them

all the way home! Someone will deliver them for you. And if you think carrying several casebooks across downtown is "exercise," then go see a doctor since you'll probably have back problems soon!

If Concordia can have this system in place for their students, why can't McGill? Is it lack of funding? Lack of interest? Lack of common sense? Lack of vision? Lack of competent people? I'm certainly not trying to say McGill has to be better than Concordia in every aspect. I simply believe that the university is nothing without the students and it has to make reasonable efforts to create a productive environment. Unhappy students, or students who are neglected by the university, will stay in school in order to finish their degree. However, just don't count on them for any alumni contributions after their studies! For a university that claims to be in constant need of money, this oversight is unjustifiable. After all, aren't happy students in the best interest of everybody? ■

# The Green Colum, Part I: Save the Boreal (Not the Beer)

by Émélie-Anne Desjardins (Law IV)

I am a country girl. I was born and raised in a small city, where you only had to drive for half an hour to find yourself in the most beautiful wilderness. I was always taught that nature has to be preserved, respected and protected. As such, the future of our planet - and what each of us can do to make it better - was always one of my big concerns.

I admit that when I first arrived in Montreal, I expected city people to be oblivious to all the environmental issues and challenges that we all face everyday. I was pleased to find otherwise, and to see that a lot of people care and take steps to improve many of these issues. On the other hand, a lot of people, whether in Montreal or elsewhere, do not realize how pressing some environmental matters are, and that is precisely what I would like to see change.

Now is the time to wonder in which category you are. Maybe you do have environmental concerns when you read about water pollution or climate change in the

paper, or hear about it on the six o'clock news. That's good. But when you put down the paper, or turn off the television, do you throw you paper cup in the wastebasket, or do you rinse and recycle it? My point here is that being aware and caring when you read the paper is not enough. Problems do not disappear when you stop reading.

In addition to being aware of what is going on, we have to know what we can do to change things. Of course, none of us can just walk up to the head of some lumber company and order that it stop clear-cutting our forests or pouring toxic products into our rivers. However, you can recycle paper to avoid a greater need for those clear-cuts, and you can boycott the products of companies that have destructive processes and production habits. If everyone makes a small difference, we will make a big difference together. And as lame as that may sound to some, it is true.

We also need to stop thinking that environmental disasters only happen elsewhere. For example, everyone knows

about the clear-cuts in the South American rainforest. Everyone knows that we should seek to stop them, and to preserve the unique habitat that forest represents to an incredible number of animal and vegetal species that can be found only in that part of the world.

Very few people know, however, that Canada holds the northern equivalent of that rainforest, called the Boreal (yes indeed, like that foul beer), which covers a large part of our country.

So, how about some numbers?

The Boreal Forest is a very ancient forest, which has been evolving for more than 10 000 years. It represents 53% of Canada's landmass, and is the largest tract of ancient forest left in North America.

As you might now, a large portion of the world's forests (80% to be exact) has been degraded, or completely destroyed so far. The Canadian Boreal Forest constitutes a quarter of the remaining ancient forests of the ►



world, and is home to unique wildlife and a large number of our songbirds and waterfowl. In fact, about 5 billion birds migrate to the Boreal Forest each year for the summer.

And for you Aboriginal Law-loving people, you must know that the Boreal Forest is also a very rich cultural legacy for the first nations of Canada.

Of course, if you do not particularly care about forests, trees, animals or first nations, I don't see why numbers would convince you of the importance of the Boreal forest. But maybe hinting at the fact that the Boreal forest represents 40% of our planet's carbon stock, and thus plays a critical role in the control of earth's climate change might do the trick. I assume everyone has heard about climate change and the problems it might cause. If not, I just might write a column on it sometime.

And surprisingly, even if the Boreal is of an impressive size, it is seriously threatened. Each year, an area of the Boreal Forest larger than PEI is lost because of clear-cuts. In addition, half of its surface area was licensed to logging companies. And of course, the

heaviest developments are in the southern reaches of the Boreal, which is home to dozens of endangered species and where its most productive wildlife habitat is situated. In fact, 90% of that area is clear-cut. Just to give you an idea, that makes for a clear-cut the size of 17 000 football fields.

Ok, now what do we do?

Well, there are many things that each of us can do individually. First, recycle. Print on both sides of your sheets of paper, and buy recycled paper if you can. Never throw away your notebooks, books, paper cups or loose-leaf paper. Always recycle them.

Second, make sure that whenever you buy facial tissue, toilet paper, napkins or paper towels you buy recycled products. All products by Cascades (Doucelle, Cascades, North River, Décor, New Horizon), the Merit Selection Products, Econochoice and the Super C brand are all forest-friendly choices. Brands like Cottonelle, Royale, Charmin, Personnelle, Kleenex, Option Plus, Life, President's Choice, Scotties, Puffs, the no-name brand, Bounty and Scot Towels are all products that are very harmful to our forests.

For a more complete list, you can go on the following address online:

<http://www.greenpeace.ca/tissue>

Finally, here is a good initiative for all those of you who are working in law firms. It is easy to make sure that everyone has a recycle bin in their office. Big firms can easily afford paper cups instead of foam cups (which are not biodegradable and as such are very harmful to the environment). Ask if they can change from the latter to the first. Finally, you can also suggest that a recycling bin for plastic and glass bottles and aluminum cans be installed in the dining room, so people can easily get rid of them safely after their meals. Initiatives are always rewarded and well-regarded, and showing people that you care will make them aware that there are little gestures that they can make as well to preserve our resources.

When you turn the page, please remember that we cannot just wait for someone else to change things. We have to start changing them ourselves. ■

## How Often Do You Get to Live a Life-Altering Experience?

by Marc-André Séguin and Jean-François Bisson-Ross (Law II)

**Are you interested in human rights? Do you want to know more about third world countries? Are you fascinated by other cultures? Then maybe you should read the following!**

Jean-François Bisson-Ross et Marc-André Séguin vous offrent, en collaboration avec le Groupe d'entraide internationale Spirale Inc., l'occasion de vivre un stage de sensibilisation sur les pays en voie de développement d'une durée de deux à trois semaines au cours de l'été prochain. La formation est ouverte à tous les étudiants de la faculté de droit. Elle se fera tout au long de l'année et ce jusqu'à l'été prochain. Le stage devrait avoir lieu vers la fin de l'été dans la région de Granada-Nandaime, au Nicaragua, en collaboration avec le Centro comunitario Oscar A. Romero.

An information session will be announced soon. If you are interested in attending it, please R.S.V.P. at: [pde\\_2002@hotmail.com](mailto:pde_2002@hotmail.com) ■





# Suprise! We're Broke

by Michelle Dean (Law III)

When I arrived at the Faculty two years ago we were in a bit of a funk about money, in the sense that we didn't have any. And once we got through the niceties of orientation and congratulations-for-getting-in and you're-all-getting-Bs, the truth began to emerge. Faculty members felt they weren't paid enough. Regardless of the level of student sympathy for that argument, it was clear to all that there weren't even enough professors on staff. Some of our facilities were crumbling; support staff worked for three or four professors at a time; faculty initiatives like the human rights internships were under-funded. We didn't have a formal budget per se, so it was hard to figure out where money was coming in and how much of it was leaving. Throughout the year there was a series of meetings regarding the financial future of the faculty. Multiple committees were formed. (Mea culpa: I was a member of one.) Documents were produced, debated in Faculty Council and at

the LSA.

Then in the middle of the winter semester, the dean quit. And in the ensuing summertime confusion over who would be appointed to succeed him, someone somewhere in the administration decided that the best way to deal with this depressing funding business was just not to talk about it. All last year nobody brought it up in a public way. Student government gladly obliged by occupying themselves with the pressing question of just how stupid one has to be to pack \$600.00 in cash in their checked baggage. That's why last year the cause célèbre was grades rather than money.

The lovely experience that we called "course registration" this year provides an excellent example of why silence is not usually an optimist's best friend. Last week Lisa Schneiderman wrote in these pages that if "there is a lack of funding [resulting in poor

course offerings] ... this fact should also be made known to prospective applicants." She's right, of course, in a way. (I do think that prospective students who did some careful research, and thought about how a school with a \$1600-\$3500 tuition level could fare in a \$15 000 tuition market, would have come to that realization on their own.) But that doesn't really help us at the moment.

As a matter of pure self-interest, then, it might be an idea for somebody not to have an inquiry into course selection - really just a symptom of a larger problem - but to start having an inquiry into this whole funding enterprise. No matter what your position on tuition issues, I think we can all agree that having that conversation is important. The cracks in the faculty are starting to show. And this idea that it's someone else's problem to fix, that we can just count the days and hours and years 'til we get out of here and then forget about it, are widening them. ■

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## Équipe des Machmalos au feu de bois contre équipe des Stressés. Qui l'emportera?

par Delphine Néant

**F**aculté de droit de McGill - Plat du jour pendant deux semaines : STRESS!

Tel des 007 en puissance, plusieurs étudiants de la faculté se sont portés volontaires pour mener une enquête auprès d'autres spécimens étudiants pendant ces quinze derniers jours. La question posée était la suivante: Qu'est ce qui vous préoccupe en ce moment? Voici les réponses des étudiants interrogés.

**Réponse d'un étudiant de 1ère année interrogé au hasard dans l'Atrium:** " La rentrée à la faculté de droit, le fait d'être surchargé, de ne pas avoir mémorisé le nom de ceux qui se rappellent déjà comment je m'appelle, de ne pas comprendre ce que transystémique veut dire, de ne pas être suffisamment bon en français, de me perdre dans la fac."

**Réponse d'un étudiant " upper year " interrogé au hasard dans l'Atrium:** "Le choix de mes cours, de ne pas avoir été capable de m'enregistrer pour plus de 11 crédits ce semestre, de devoir me lever à 8h du matin pour cette matière dont je n'ai que faire, de n'être dans aucun des cours avec mes potes, de ne pas me souvenir des prénoms de certains de mon année non fréquentés durant l'été, d'avoir eu un mauvais classement. "

**Réponse d'un étudiant " upper year " interrogé au hasard dans l'Atrium:** " Les OCI, le fait de ne pas savoir comment agencer mon c.v, de réaliser que je n'ai rien fait de passionnant cet été (aux yeux des recruteurs), de ne pas avoir encore trouvé de professeurs souhaitant écrire cette maudite lettre de recommandation, de ne ►



pas savoir où je serais l'été prochain. "

**Réponse d'un étudiant " upper year "**  
**interrogé au hasard dans l'Atrium:** " Ma dernière année à la faculté, de devoir

commencer à rembourser mes dettes dans moins d'un an, de ne pas avoir de job, de me retrouver sans amis au coffee house. "

**Réponse d'un étudiant lambda**

**interrogé au hasard dans l'Atrium:** " De ne pas encore avoir eu comme plat du jour des machmalots grillés au feu de bois. " ■

# President's Perspective

by Michael Hazan, LSA President (Law III)

**F**irst off, let me welcome all of you back to school! I hope each and every one of you had an amazing summer. I wanted to quickly update the faculty on what has been happening with your Law Students' Association since May.

This year's LSA Executive: Matt Bilmes (VP Athletics), Lainy Destin (VP Public Relations), Andres Drew (VP External), David Dubrovsky (VP Finance), Andrea Hwang (VP Administration), Catherine Lambert (VP Internal), Toby Moneit (VP Academic), Liat Tzoubari (VP Clubs and Services), and I have been hard at work since we received your mandate.

Here are some of the projects we have completed and/or are working on:

-Building on last year's LSA Executive decision to invest in new computers for the downstairs computer lab, we finalized a deal with the Law Faculty and McGill University to completely renovate the lab. The LSA matched the Law Faculty's contribution of \$2,000 and the central administration contributed \$14,000 in order to complete the project. The floor that previously featured major craters is now completely redone and the walls have been repainted. The computers will be installed any day now and the new lab will open shortly.

-As many of you have seen, the LSA has launched its' own website at [www.law.mcgill.ca/lsa/](http://www.law.mcgill.ca/lsa/). Thanks to the hard work of our Web designer, Phil Alma, the site has been fully functional since the summer. It features everything from LSA news to upcoming events, photos and links to club pages. If you haven't checked it out already, what are you waiting for? Phil put in many hours and he should be congratulated for his efforts. If you have any faculty news that you want to promote on the site, please do not hesitate to contact us.

-Many of you have probably heard about or have seen our new Coffee House mugs. They were designed by the queen of Coffee House herself, Catherine Lambert, and we

want to make sure that they are put to good use. In order to be more environmentally friendly, the LSA Executive has decided that we will no longer be serving beer in the plastic Molson cups and if students want to have a drink, you better bring a mug. At only \$2, they're a steal and make wonderful gifts for friends, family and even S.N.A.I.L.S.

-It is also a great honour to introduce the first ever BOGENDA to the Faculty! Half Bottin, Half Agenda - what can be better than one portable handbook? We hope that the inaugural edition is a success and something that law students will use, enjoy and appreciate. I personally wanted to thank those responsible for its publication including Liat Tzoubari for her formatting, compilation and many trips to the printers, Lainy Destin for securing all the advertising, Phil Alma for his countless hours of labour, and the class presidents for their efforts in obtaining all the phone numbers. If you haven't picked up your copy yet, please swing by the LSA office and get one.

-The LSA is also hard at work trying to procure funds to "Launch the Lounge." We are laying the foundation to renovate the TV room in the basement so students can relax and better enjoy the area. For more details, check out our website. Essentially, we are trying to raise around \$25,000 from the faculty, the university, alumni, and sponsors to repair this room so students will want to hang out there more often. This is one of the most ambitious projects the LSA has undertaken in recent memory and if you want to be a part of it, please do not hesitate to contact me.

We have had an extremely successful summer and hope to build on this momentum throughout the year. However, at the beginning of the summer, our association did have a minor financial setback. Last year's LSA administration ordered 100 yearbooks after only a handful of students put down orders to purchase one. To date, the LSA has sold about fifteen. We have since volunteered to pick up the torch and sell the remaining

books at a reduced cost. The yearbooks are very well put together, and it is a shame to have them lying around the LSA office. So if any students are interested in buying one for themselves or giving a gift to a recent graduate, this would be an ideal opportunity.

That is about all the news from the summer. I encourage every student to vote in this week's elections and attend our Faculty Council meetings. We will be meeting every second Wednesday in room 201 starting September 29th. If you have any questions for me or any other member of the LSA Executive or Council, please do not hesitate to contact us by e-mail or drop by the LSA office. If our accomplishments over the summer and orientation are any indication, 2004-2005 is going to be a memorable year for the faculty. ■

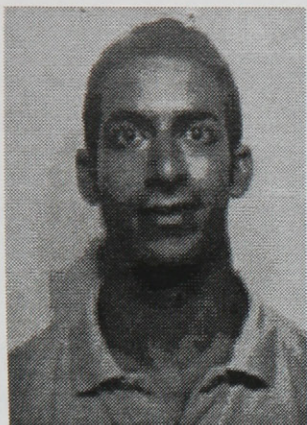
## \*\*\*THANKS\*\*\*

On behalf of the entire LSA, I wanted to extend my deepest thanks to the Orientation Committee. Under the guidance of co-chairs Adam DiStefano, Jonah Mann and Ryan Unruch, the entire committee did an amazing job. From the first day until the Mystery Party, the committee made sure that every detail was covered. The "top 5" t-shirts, the Montreal delicacies served at the Dean's Food Fest and the Orientation Website are proof of the orientation team's creativity and tireless efforts. Considering law students' propensity for asking questions, there was no doubt that there would be some initial skepticism concerning the Mystery Party, but in the end, all who attended the party in Piedmont had an incredible time. I hope that our 170 new recruits, exchange and Masters' students had a great experience and will enjoy life here at McGill Law! Once again, thanks to Adam, Jonah, Ryan, Andrés Drew, Catherine Lambert, Sara Nadeau-Séguin, Delphine Néant, Marc Purdon, Michael Rapps, Lani Rabinovitch, Mel Robins, Matt Singerman and everyone else who helped out at orientation for setting the tone for the 2004-2005 academic year. ■



# Elections

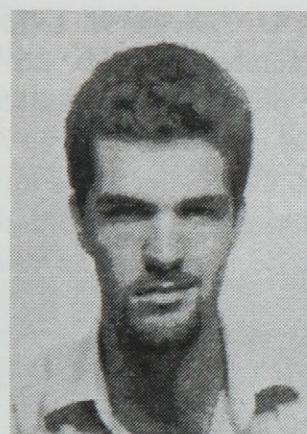
## Candidates for First-Year President



### Reuven Ashtar

**H**ello! My name is Ruby, or Reuven (call me whatever you like, but please don't call me late for dinner) Ashtar, and I would love to represent you as Class President. After growing up in Israel I did a Peace and Conflict Studies/Art History degree at U of T. My interests include representation, distributive justice, and the democratic process. In my spare time I like to count loose chads.

Peace,  
Love Ruby  
ps see you at coffeehouse!



### François Beaudry

Why?

Because I want to represent your interests.

Because I want Our Class to be a real Class, not only a gathering of individuals.

Because I value the diversity of our faculty.

Because I believe in teamwork.

Because you need someone to support your projects and to voice your complaints.

Parce que je crois au bénévolat, non seulement en théorie mais aussi en pratique.

Parce que je peux vous offrir mon expérience passée comme membre d'un exécutif étudiant.

Because from day one, I have felt that we, the students of this faculty, have the potential to make sure the next four years will be the best experience of our lives.

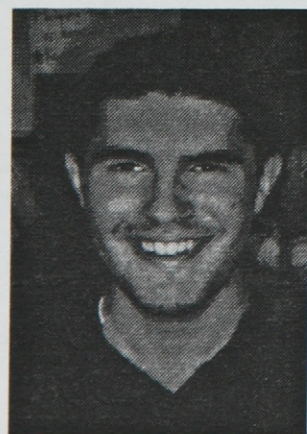
Parce que quand des personnes extraordinaires, compétentes, intéressées et intéressantes comme vous l'êtes placez votre confiance en moi, elles ne sont jamais déçues.

Because you deserve only the best.



### Kara Morris

**C**haque campagne électorale pose la question, pourquoi choisit-on un(e) candidat(e) et pas un autre? Vos critères de sélection seront uniques. Selon moi, le candidat(e) idéal(e) démontre l'enthousiasme et les aptitudes à communiquer face à face ou devant toute la classe. I am approachable and focused on accomplishing goals. I demonstrated leadership in the past as a community rowing coach and as co-president of the Uvic Golden Key chapter. Many of you may know me from the trivia contest or as that crazy girl on the pub crawl. Je pose ma candidature parce que je crois que je possède les qualités qui peuvent ajouter à cette position. Si vous ne me trouvez pas positive, enthousiaste et accessible, votez pour quelqu'un d'autre. If you want someone with my qualities to represent you to the LSA, vote Kara Morris for First year class president.

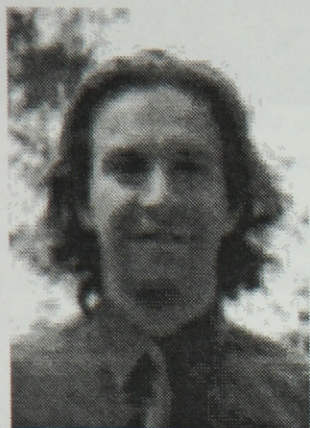


### Nick Peters

**V**ote Nick Peters for Vision, Voice & Leadership as First-Year Class President. I'm committed to building on my experience as a 3-term member of the McGill Senate, where I represented students in the Faculty of Arts. As a Senator, I achieved support for key student policies, successfully passing McGill's first environmental policy, achieving breakthroughs on CoursePack pricing, library funding, study space, academic integrity, advising, online course evaluations and final exam conditions. Re-elected twice, I was passionate about student government and demonstrated a commitment to direct student involvement, innovation and open communication. As a First-Year Class President, it would be an honour to act as your voice in the Law Students Association, and to conduct regular first-year 'Town Hall Meetings' on academics, student-faculty relations, social and cultural life and our future as legal professionals. With your support, I can put my experience and energy to work with Vision, Voice & Leadership.



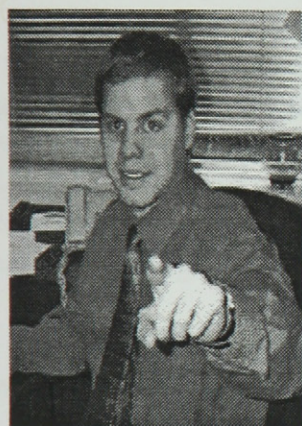
# Elections



## David Tortell

**M**y name is David Tortell and I am running for President of the 1st year student class. Prior to studying law I worked as a print and radio journalist, did time as a Ph.D. student and served as a policy advisor in the Ontario government. Previous experience on various student councils, including a year as President of my M.A. class at McGill, has taught me the primary importance of a united student voice. In order to be heard-and be heard they must-students should work together to promote their individual and collective needs and, in doing so, actualize their understanding of the meaning and value of higher education. I believe that, if elected, I could represent OUR class voice to this end in an effective and efficient manner. Thank you for your consideration.

## Candidates for Faculty Council



## Martin Doe

**H**aving dedicated my undergraduate years at McGill pushing for a university-wide Environmental Policy, a comprehensive Policy on Discrimination and Harassment, and the formal Accreditation of the Students' Society with the Quebec Government, je serais heureux de vous représenter sur le Conseil de la Faculté de Droit. I have already served on the University Senate and Board of Governors in my capacities as Vice-President and then President of the Students' Society of McGill University and would like to offer my experience to help represent us at the Faculty Council.

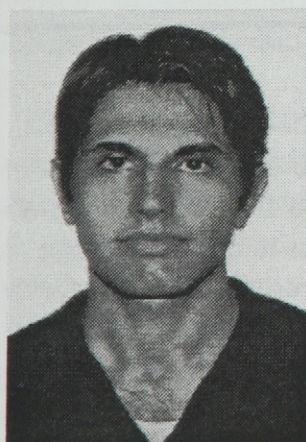
I am committed to innovative solutions - as exemplified by the "social contract" - that can satisfy the practical needs of our faculty (e.g. increased resources) and yet not compromise our principles (e.g. accessibility and diversity).

Nous sommes bilingues, mais on ne devrait pas être passif! Je vous remercie pour votre appui.



## Annie Guérard Langlois

**I**f it is true that the best part about law school is made up of friends and extra-curricular activities, then getting involved as a student member of the Faculty council must contribute greatly to the McGill experience. In my opinion, it is a commitment to ensure that as students, we squeeze every ounce of what this faculty can offer to us, and yes, of course, of what we can offer to the faculty! Étudiante de première année, je partage votre énergie et enthousiasme pour la nouvelle année. J'espère sincèrement avoir l'opportunité de travailler avec vous toutes et tous, d'en apprendre plus sur la faculté et surtout sur les gens qui la composent!



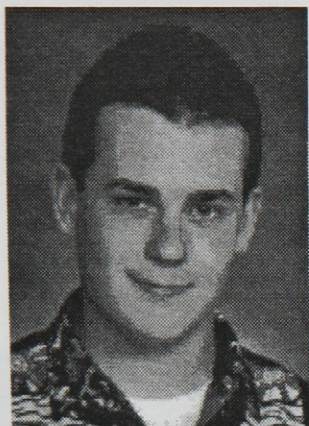
## Neil Modi

**H**eaded by the Dean, Vice Deans, and Professors, the Faculty Council is our main governing body. Each year, four students are elected to participate in the Council's decision-making process. I believe that the chance to participate is extremely vital for us, as students of this Faculty, and as the ultimate beneficiaries of the Council's decisions. I believe in a diverse student body and a broad choice of courses. I'm originally from Montreal, trilingual, studied Public Policy and Political Science at the University of Ottawa, and have experience in running a commercial business. My extra-curricular and community work, both at home and in India, has brought me in contact with people from diverse backgrounds and allowed me to further develop my cooperation and negotiation skills. Faites-moi confiance, comme d'autres l'ont fait auparavant. Je saurai représenter vos intérêts au Conseil.



# Elections

## Candidates for Faculty Council



### Julien Morissette

**J**e suis un nouvel étudiant en droit, mais j'ai beaucoup d'expérience en représentation étudiante. À l'Université d'Ottawa, j'ai siégé pendant 3 ans dans des instances semblables au Conseil de Faculté, notamment au Sénat académique (5 comités au total).

If I am elected, here is my concrete plan:

1. Always attend meetings. Students are not heard when absent!
2. Represent your student voice to the Council. A better student experience is my priority.
3. Consult students. To represent you effectively, I pledge to consult you.
4. Inform students of relevant issues on a regular basis.
5. Cooperate with the LSA on all issues. Students must unite to be effective.
6. Be available to you. I will be available anytime for questions, suggestions or comments.

Notre Faculté va bien, mais elle pourrait aller encore mieux.

I am ready to work for you! Votez JULIEN MORISSETTE le 23 septembre.



No Picture Provided

### Melissa Robins

**N**o text provided

Aucune photo  
soumise



No Picture Provided

### Noah Sarna

**N**o text provided

Aucune photo  
soumise



No Picture Provided

### Hari Suthan

**W**ho you choose to represent your interests on Faculty Council impacts the quality of your educational experience. After all, it was pressure from student representatives that forced the Faculty to finally allow language courses as non-law electives. My main interest in representing you on Faculty Council is to ensure that last year's momentum continues into the present year. I hope to push a five-point plan: 1) Easy credit approval for self-sought internships; 2) Accessibility of Governance/Corporate and NGO internships, like those available for students in a major (four years), to students with less credit weighting; 3) Increased and sustained summer course offerings; 4) Encourage alternative forms of evaluation (like Pass/Fail/Distinction) that preserve academic rigor while encouraging a collaborative approach to learning; 5) Promote Law Faculty bursaries on the basis of financial need. If you support this platform, then come out and vote for me on Sep. 23rd!

Aucune photo  
soumise



# Casting a Wide Net: Japan's Legal History

by Philippe Alma (Law II)

*This is the second piece in the Asian Pacific Law Association McGill (APLAM) Series of articles pertaining to Asian legal systems. For more information about APLAM please email Marcelo Garcia at [marcelo.garcia@elf.mcgill.ca](mailto:marcelo.garcia@elf.mcgill.ca) or visit us online at: <http://www.law.mcgill.ca/students/clubs/aplam/>*

For the greater part of its recorded history Japan has been relatively isolated and has borrowed much from its neighbours, transforming their new knowledge into something essentially Japanese. This philosophy of *wakon hansai* (Japanese spirit, Chinese knowledge) or *wakon yousai* (Japanese spirit, Western knowledge) continues to this day and has left its mark on the evolution of the Japanese legal system. This short article will examine the history of law in Japan and give a brief overview its legal system's many threads.

Japan's first laws were religious in nature and appeared in the 3rd century. The laws were essentially the will of the gods revealed to priests during prayer, and law and religion remained closely intertwined for the next four hundred years. In the 7th century revolution was in the air and powerful clans threatened the power of the royal court. In order to stabilize the volatile political climate and to create national unity the Emperor's court adopted the *ritsu-ryo* set of laws. Heavily inspired by the values of Confucianism and the T'ang Dynasty, this system of Chinese administrative laws was taken on almost wholesale as a way of regulating activities in the court. This body of laws, divided into various books and chapters, only affected life in the rarefied air of the court and spurred the creation of professional jurists and law schools for civil servants.

The *ritsu-ryo* system continued to exert power within the court for many hundreds of years. Outside the court, however, the unity the laws attempted to create slowly disintegrated and Japan gradually became a feudal society. By the early 12th century Japan had a military government and the fragmented feudal country was divided into *sho* (areas of land) ruled by two kinds of laws. The first kind of laws was the *honjo-ho*, a set

of customary laws that varied from area to area. The second set of laws was the elaborate samurai rules that regulated the behaviour of this warrior class.

In the 17th century the existing *sho* organization gave way to mini-states ruled by powerful Daimyo who were in turn ruled by the Shogun (the head of the central government). The Shogun ruled over his own lands, and distributed the other land to the Daimyo and the Shogun's vassals. Though the Shogun's jurisdiction was limited only to his lands, many Daimyo voluntarily used those laws to govern their own lands. The Daimyo warred relentlessly for the position of Shogun and eventually the Daimyo Tokugawa wrestled control of the whole country and unified it with his rigorous and ruthless Confucian-inspired social hierarchical system. He stratified society into nobles (*kuge*), samurai (*buke*), religious officials (Buddhist and Shinto), commoners, and the pariahs (*burakumin*).

The Tokugawa Shogunate was marked by the codification of almost every conceivable social interaction, from the size of one's smile, to the size of one's house. Any deviation from this rigid code could bring the wrath of the samurai who had the authority to execute troublemakers. During the Shogunate, laws were mostly customary and non-unified, but there did exist some written laws like the code of penal and procedural laws (*kukikata-osademe-gaki*). These laws were never properly published and most Japanese were unaware of their existence. No *ritsu-ryo*-like law schools or doctrine emerged from the Tokugawa Shogunate.

The end of the Tokugawa Shogunate came swiftly with the arrival of Commodore Perry's "three black ships" that pried open Japan's gates to Western trade. The Emperor's powers to rule were restored and he recognized that Japan had the choice between rapid modernization or gradual colonization. The Emperor opted for the former and embarked on a remarkable national transformation known as the Meiji Restoration.

A new system of laws was required for the new Japan if it was to compete in the coming capitalist society and preserve the insulting

trade conditions the country had previously negotiated with its 'allies.' As with much of the Meiji Restoration, Japan looked to the 'modern' Western countries for guidance. The Japanese thought a common law system would take too long to install (and found it too complicated and confusing), and opted instead for a system of codified laws - a decision that (some argue) recognized Japan's long history of codification from the 3rd century *ritsu-ryo* to Tokugawa's *kukikata-osademe-gaki*.

The highly influential French Civil Code was an obvious choice as a model of the new Japanese code. Japan invited eminent French scholars to teach this new method of government at its new universities and the Code Napoléon was an instant hit. Rinsho Mitsukuri translated the Code's penal code and the then Minister of Justice was so impressed by its order and clarity that he ordered the entire Code to be translated and adopted wholesale ... irrespective of any translation mistakes!

Despite the popularity of the French Civil Code, the Japanese judiciary, composed mostly of despotic ex-samurai, was reluctant to adopt such a liberal code. Instead, they opted for a more authoritarian system of rules modeled on the draft of Germany's civil code. Three German scholars reviewed the franco-civilian code, and their revised Japanese Civil Code (which nevertheless closely resembled the original code based on the French Civil Code) took effect in 1895 (the book about real rights, obligations, and general provision) and in 1898 (the book about family law and successions).

The Civil Code of Japan would become one of the six prime sources of modern Japanese law (*roppo* or "six codes"). The other 5 are the Constitution (1889), the Commercial Code, the code of Civil Procedure (1891), the Criminal Code (1907), and the Code of Criminal Procedure (1922). Most of the "six codes" have been revised in one way or another. The first Japanese constitution was rewritten by the United States after World War II and it still remains Japan's constitution. The U.S. also reviewed the Code of Civil Procedure and infused ►



it with an Anglo-American inquisitorial touch, thus adding yet another legal tradition to Japan's already full house. The Americans also fiddled with the Civil Code's section on the family, but the majority of the code remains the same as when it was first penned. Other than these alterations, the "six codes" (excluding the Constitution) remain

essentially the same as they were at the turn of the 20th century.

This is, very generally, the legal architecture of Japan today, but it is certainly not the last chapter in its legal reform. There is talk of altering the Constitution (especially the famous pacifism clause) in the face of

Japan's changing role in the post 9/11 world. Also, legal education has been revamped, with Japanese universities witnessing the birth of faculties of law in 2004. Perhaps a specialized faculty is in order given the complexities of a system that has, for so many years, drawn from such a wide variety of sources. ■

# I Demand That Pino's Serve Stronger Coffee

by Jonathan Rabinovitch (Law III)

**F**unding cuts, faculty retention difficulties, Minerva melodrama - whatever. I got mine. On to more important challenges. Every day I face the redundant task of making it till noon with nothing but the sweet aroma of a Pino's coffee - an aroma that betrays the contents of its enviro-trashing receptacle: the world's worst coffee. There. I said it. I hate Pino's coffee and I demand better. I deserve better. I pay my taxes so why can't I get a sufficiently caffeinated hot beverage in the morning?

Capitalism owes me coffee. I discovered over the summer that there are parts of this fine country where one cannot toss a Civil Code without knocking over a freshly made frappuccino. Starbucks was everywhere and I was a kid in a candy store: a daily dazzling of

the senses with extra-hot non-fat lattes, iced americanos and caramel macchiatos. Boo-ya!

I don't follow the news much, but I hear that there is trouble in the Middle East and apparently Bush cut taxes to rich people. Frankly, I don't really care. In any event, they say that all politics is local, which brings me back to CoffeeGate. How can I be expected to empathize with a water shortage in Basra, or follow Paul Krugman's logic in the Times without a good cup of coffee? Exactly.

Democracy owes me good coffee. It just does.

This brings me to Pino's cutting edge plan to provide fair trade coffee. I had eagerly anticipated the new product, not for its supposed "fairness," but because if anyone understands the value of strong coffee it is the

hardworking South American coffee bean harvester. For an extra quarter, how could I not order fair trade coffee, noted for its strength and boldness? Fair indeed! Alas, Pino's inability to brew a proper cup of fair-trade coffee was a slap in the face to McGill law students and, more importantly, the billions of South American coffee farmers simply trying to harness a globalized coffee-bean market controlled by an oligarchy of ruthless capitalists. Shame!

In closing, I urge Pino's to heed my one-point plan to make my mornings in the law faculty more enjoyable.

In solidarity,

Jonathan ■

# 6th Year Students: Some Advice

by Edmund Coates (Alumnus)

- 1) Are you a law student because you were pampered as a child?
- 2) Are you a law student because you had a bad childhood, an insufficiently loving or expressive parent?
- 3) Are you a law student because your family or childhood was too dull and normal? Did this childhood generate unconscious pressure in you to be different or to shock your family? Or did this childhood generate unconscious pressure, in you, to have strangers symbolically fulfil the role of rejecting parents: the type of parents which you would have preferred? Really, you want strangers to automatically hate you, thanks to stereotypes they never bother to examine, don't you?
- 4) Why is sex so important in some of the intimate relationships of law students?
- 5) When and how did you "discover" that you were a law student?
- 6) Have you seriously and honestly explored the idea that being a law student is just a phase that you would grow out of, if only you would give yourself the chance?
- 7) Is it possible that your being a law student is really driven by irrational anxiety, in relation to the prospect of being intimate with mathematicians?
- 8) Why do law students think that they have something so good going, that they try to seduce other people into it? Why do they claim that some of those people, with patience, an open mind, and some experimentation, could become law students?
- 9) Why do some law students feel compelled to be honest with those around them, and to disclose that they are living their lives as law students?
- 10) Why do law students feel a sense of community with the other students who are going through the law school, when there are so many ethnic, economic, and life-style differences among them?
- 11) Would you want your child to go to law school, knowing the problems that he or she would face?
- 12) If you sit law students down and really talk with them, most of them will admit to some dissatisfaction with themselves. They will admit to being unhappy at times. Therefore, very few law students are essentially happy. Technology has been perfected which may help law students to give up law, if they have the courage to try. Have you considered prolonged aversion therapy? Have you considered a Bible-based 12-step programme? ■



# View From Beyond

by Allen Mendelsohn (Alumnus)

**R**umour has it that it's like, the 25th anniversary of the Quid or something. Rumour also has it that there will be special contributors and articles all year. Finally, rumour has it that there will be "alumni contributions," according to a Quid co-editor.

This last rumour I find difficult to believe, as this alumnus has not been contacted about contributing. If I'm not contributing, who is?

For those of you who don't know me (and that's probably all of you except for some profs and staff that are still there - hi Patrick and Evan), I have written more Quid articles in my lifetime than most of you have pages left to read 24 hours before a Constitutional exam. A lot of these were written in official capacities - often as president of the LSA or president of the LSDM (Law Students for the Decriminalization of Marijuana) when I pulled off that difficult double in 2000-2001, with the collapse of the Law bookstore as the only nefarious consequence. I wrote a lot in unofficial capacities as well, on any number

of topics of interest to law students. I can't remember what they were, but they were important at the time, dammit.

My Quid contributions did not end with my departure from the faculty. Refusing to let go of my past glories, I chronicled my descent into madness at the Québec Bar in a lovely and uplifting series of pieces entitled Tales from the Barreau. I know they touched a chord, as numerous students wrote me and told me they were now planning to move to B.C. upon graduation.

My point is ... well I guess I don't really have one beyond once again reliving old glories. Oh yeah, here it is. Open any Quid from 1997-2002 and the odds are pretty good you'll find an article from me. So the thought of there being Quid contributions from alumni this year that are not me is, well, preposterous. Did I mention that upon becoming a lawyer you also become a pompous asshole? No really, I'm a nice guy - ask any of your fellow students who know me.

So you'll hear more of me during this Quid 25th anniversary year. I guarantee to rant about all sorts of crap from the other side of the Barreau with my own twisted sense of humour guiding the way. But we should make this interactive. Use me as a resource for any questions you may have. Whether academic, professional, social, or miscellaneous, use me. I've been there. It can be difficult to ask someone face to face questions like, "Will I have sold my soul upon receiving that first big paycheque?" (Short answer: Duh, but I'm eating good food so I don't give a fuck.) So take my anonymous e-mail address that I use for all my communications with porn websites - [almendelsohn@hotmail.com](mailto:almendelsohn@hotmail.com) - and drop me a line. If requested, I guarantee that you will remain anonymous if I use your question in a future column. I also guarantee that there will be valuable information in my response, if you can wade through the flippancy and sarcasm.

So happy anniversary, Quid, and welcome all of you to the View From Beyond. ■

## McGill Business Law Association (MBLA)

by Carolyn Nguyen (Law II)

**S**i vous ne vous êtes pas encore joint au MBLA, il n'est pas trop tard!

The McGill Business Law Association is committed to increasing the profile of business law at McGill. The association is proud to announce its first Business Law Speaker Series for the upcoming academic year. L'association est aussi engagée à présenter aux étudiants de droit des opportunités de développer et d'approfondir leurs intérêts et connaissances relatifs au droit des affaires.

Indeed, on a monthly basis, the association will welcome representatives from the world of business law, among them professors and practitioners, to address the faculty on cutting-edge issues such as corporate social responsibility, regulatory crime, new developments in securities law, the relationship between law and economic innovation, and more.

De plus, le MBLA organise des visites à des firmes d'avocats. Plus précisément, le 22 septembre prochain, un groupe rencontrera un avocat de la firme Osler, Hoskin & Harcourt

LLP qui leur parlera de regroupement d'entreprises (mergers and acquisitions).

The \$7 membership fee allows you to attend tours, such as the Osler one, to participate in the Speakers Series and in networking functions, to get involved in the leadership of the MBLA, and receive, for a minimal cost, trendy business cards that will help you network your way through this year's in-house events and outside conferences.

Pour plus d'informations, veuillez communiquer avec Carolyn Nguyen à [carolyn.nguyen@mail.mcgill.ca](mailto:carolyn.nguyen@mail.mcgill.ca). ■

**Check out the Quid online**  
**[www.law.mcgill.ca/quid/](http://www.law.mcgill.ca/quid/)**



# Tales From the (Se)X-Files

## 'I Have a Headache. Sue Me'

In Spain, a frustrated husband tried to get his wife charged with domestic abuse. Why? Because she refused to have sex with him on five consecutive days.

The middle-aged man from Seville - the city well known for Don Juan and Carmen - argued that her refusals amounted to "degrading treatment" and domestic abuse, terms used more often to describe wife-beating.

Not surprisingly, the judge shelved the case.

Source:

<http://www.reuters.co.uk/newsArticle.jhtml?type=oddlyEnoughNews&storyID=6266541&section=news>

## A Marital Blow-Up

A Romanian woman divorced her husband after she found an inflatable doll in their attic. The mother of two said that she just could not accept the idea of being cheated on...even if the other woman was inflatable.

Her 45-year-old husband insisted he'd bought the doll as a birthday present for a friend.

The court granted the pair a divorce.

Source:

[http://www.davesdaily.com/out.php?id=715&url=http://www.ananova.com/news/story/sm\\_1106176.html?menu=](http://www.davesdaily.com/out.php?id=715&url=http://www.ananova.com/news/story/sm_1106176.html?menu=)

## Doing It Doggy-Style

A man out on a walk called police after seeing a truck driven by a Labrador retriever roll by. The RCMP found the truck in the middle of the road, blocking traffic. No one was injured, nor was there any property damage.

The precocious pooch was left in the truck while his owner watched the Canadians win the hockey World Cup. "Subsequent investigation indicates that the dog was celebrating the Canadian victory in the world hockey game and knocked the truck into gear, causing it to roll down the hill," Whitehorse Royal Canadian Mounted Police said in a firmly tongue-in-cheek news release.

"No word yet on how the dog is doing studying the rules for negotiating the new traffic circle."

Source: [http://adn.com/alaska\\_ap/story/5552463p-5487500c.html](http://adn.com/alaska_ap/story/5552463p-5487500c.html)